

05-5992 JACOB ZEDNER V. UNITED STATES

DECISION BELOW: 401 F.3d 36 (2nd Cir. 2005)

LOWER COURT CASE NUMBER: 04-821

QUESTIONS PRESENTED

1. Whether, in light of the statute's text and Congress's goal of protecting the public interest in prompt criminal trials, the requirements of the Speedy Trial Act may be waived only in the limited circumstances mentioned in the statute, the issue left open in New York v. Hill, 528 U.S. 110, 117 n.2 (2000).
2. Whether a violation of the Speedy Trial Act's 70-day time limit for bringing a defendant to trial is subject to harmless error analysis, despite the statute's mandatory language stating that, in the event of a violation, the "indictment shall be dismissed."

Cert. granted 1/6/06